

GOBBLED UP.

**Johnston Island Annexed by
England.**

**Any Rights of the United States En-
tirely Disregarded.**

**Washington Officials Do Not Take
the Matter Seriously.**

**A Story That Great Britain is Preparing
to Get Hold of Uncle Sam's Coal-
ing Station at Pago
Pago.**

By Telegram to The Times.
Said on Aug. 4. —[By the Associated Press.] The steamer Mariposa today brought information from Honolulu of the formal annexation of Johnston Island to the British crown by H.M.S. Champion. A copy of the following proclamation was left in a secure place on the island:

IN the name of Her Majesty, Queen Victoria, of the United Kingdom of Great Britain and Ireland, Empress of India: by Eustace Brooke, Esq., Captain in Her Majesty's Royal Navy, commanding Her Britannic Majesty's ship Champion:

WHEREAS, I have it in command from His Majesty the King, my Lord High Commissioner in Council, to be my principal secretary of state for the colonies, to assert the sovereign rights of Her Majesty the Queen over the islands of Johnston and the other islands of the Johnston Islands, the same having been taken possession of by Her Majesty.

NOW, therefore, I, Eustace Brooke, captain in Her Majesty's royal navy, commanding Her Britannic Majesty's ship Champion, do hereby declare and proclaim to all men that the islands of Johnston and the other islands full sovereignty of Johnston Island

Given under my hand at Johnston Island this 10th day of July, 1892.

JOHN BROOKS,
Captain of H.B.M. Ship Champion.

Witnesses: JAMES WESTON LITTLE,
CHARLES WILSON FOWLER,
Lieutenants.

The Auckland (N. Z.) Evening Star recorded by the steamship Mariposa to the following effect:

H.M.S. Caracua, which recently annexed Gardner, Danger and Nassau Islands, in the Central Pacific, returned to Suva on the 25th inst. The ship was accompanied by the Apsara, which left Apia Harbor June 20 and proceeded to the island of Tutuila with the land commission. The Apsara was ordered to anchor off shore there to settle some land dispute and select a place for a coaling station, as the ship was ordered to proceed to the island. This was formerly used by the Americans as a coaling depot, but with the loss of their ships at Apia the Americans were compelled to discontinue. England seemed to intend to use it for the same purpose, but the commission has allotted a piece of land on the coast of the island, and will require some considerable time before the depot

gland can secure a coaling station at Pago Pago, the title for that harbor having been confirmed to the United States by the purchase of a site map from the Government of Samoa. The United States Consul-General to Samoa, The Honorable James H. Smith, of the United States Consulate at Pago Pago in order to appoint officers and men to take charge of it.

WASHINGTON COMMENT.

The United States Has No Territorial Interest in Johnston Island.

WASHINGTON, Aug. 4.—[By the Associated Press.] The report that the British government had taken possession of Johnston Island, the Pacific Ocean, has been met by the United States officials, for the reason that the island is of no value for strategic purposes as because its supply of guano is practically exhausted. At the Department

exercised jurisdictional rights over the island since 1858, when the American Guano Company landed a party there to collect guano. The United States Government, however, has never been claimed by the United States and the island has never been annexed. The United States would exert its jurisdictional rights in order to protect and to protect the guano company in the pursuit of its business but it is said there would be no conflict with the territorial jurisdiction set forth by any other government. The United States cannot conduct military operations on the island this Government would have no jurisdiction which ever over it.

Killed a Woman and Succeeded.
St. JOSEPH (Mo.), Aug. 4.—John J. Clemens this morning shot and killed Mrs. Philena Morgenthaler and then blew his own brains out. Clemens is a well known and popular salaried man here and he had quarreled with setting fire to one of his houses. She was acquitted and instituted a suit for damages.

had a good case. Brooding over matter is thought to have been cause of the crime.

Premier Abbott Very Ill.

OTTAWA (Ont.) Aug. 4.—Premier Abbott was attacked with faintness at the desk in the prime minister's office. He was recovered and was driven to his chamber in half an hour. The Minister of Marine, the only other cabinet officer in town, was hastily summoned. Every effort was made to keep the minister quiet. He remained in the years of his doctors will be with soon. He must refrain from official work for some time.

Shot His Companions and Escaped.

SETHON (Ind.) Aug. 4.—This morning as a party was returning from night coon-hunt, William Greer, under the influence of liquor, quarrelled with the rest of the party and began shooting. Wilson was fatally wounded, John Firman seriously wounded, Shorty Wilson and Jacob Lo-

Death of Ex-Senator Fulton.
HUDSON (Wis.) Aug. 4.—Ex-Senator Marcus A. Fulton died today of palsy. He had been for years a leading politician and an advocate of silver.

HALF A LOAF.

The World's Fair to Take
What It Can Get.

An Appropriation of \$2,500,000 Will
Probably Be Passed.

Five Millions Favored by the Repub-
lican House Minority.

Other Washington News.—A Report on
Yellowstone Leases Exonerating Rus-
sell Harrison from the Charges
Made Against Him.

By Telegram to the Times.

WASHINGTON, Aug. 4.—[By the Associated Press.] Everything was moving along smoothly this morning in the program arranged yesterday by the Democratic caucus. The officers of the World's Fair have come to the conclusion that the best thing that can be done is to accept the situation and endeavor to pass the Durbin bill rather than to continue the fight and take the chances of getting nothing. In accordance with this advice the Democratic World's Fair members in Congress will not resort to obstructive tactics, but will vote with their colleagues to carry out the caucus agreement. The Republican members also will not delay the matter. This course is being taken on advice given by Mr. Hopkins of Illinois by Director-General Davis as to the wishes of the World's Fair managers, but the Republican policy will be to make it very plain that the bill is not to be passed by the Democrats, and that they propose to keep their record clear by voting steadily for the \$5,000,000 proposition. The World's Fair men expect Sunday closing to be incorporated in the Durbin bill tomorrow and say they will have to accept it. An effort is being made to have a vote on the Durbin bill tomorrow and bring about the earliest possible Congressional adjournment.

FIFTY-SECOND CONGRESS.
FIRST SESSION.

WASHINGTON, Aug. 4.—[By the Associated Press.] Senate.—The Senate today gave an exhibition of a waiting game in legislation. The House joint resolution extending the appropriations was passed. After the providing for further continuation of the Sunday Civil Bill, the Senate adjourned.

House.—Mr. Holman of Indiana, moved to suspend the rules and pass the joint resolution extending till August 10 the sundry civil appropriations. Agreed to.

Mr. Holman then moved that the House reconsider its vote by which it agreed to the Senate World's Fair appropriation amendment, and that the bill be sent to conference. Agreed to—141 to 40, no one making the point of no quorum.

A long colloquy ensued between Messrs. Pickler and Kelly of Pennsylvania as to the terms of the agreement or compromise on the World's Fair Appropriation Bill. Mr. Kelly explained that no one was bound to vote for the proposed reduced appropriation, carried by the Durbin bill, which it is proposed to have voted on Saturday in lieu of the World's Fair appropriation in the Sunday Civil Bill.

Mr. Kelly moved to suspend the rules and pass the resolution providing that a vote be taken on the Durbin bill at 1 p. m. tomorrow. Agreed to.

The House proceeded to the consideration of the Durbin bill with Mr. Kelly's substitute thereon, making an appropriation of \$2,500,000.

Mr. Pickler of Pennsylvania moved to suspend the rules and adopt a resolution providing that the committee on the Durbin bill be discharged from the consideration of the substitute for Mr. Durbin's bill, such substitute to be considered an original bill.

Mr. Bailey presiding, and said the adoption of the resolution meant that the treasury doors were to be opened and an Illinois corporation permitted to take out \$2,500,000.

Mr. Culbertson took issue with Mr. Bailey, and Mr. Bailey's resolution was agreed to—7 to 187.

Then Mr. Bailey started filibustering, but after a few minutes, receiving no backing, his work ended, and Mr. Kelly called on Mr. Durbin's bill, amended to provide for the appropriation of \$2,500,000. The bill was considered in committee of the whole, and Mr. Pierce of Tennessee offered an amendment to the coinage of all graded coins in the treasury, \$2,500,000, to be granted for aid of the fair.

Mr. Pickler moved to increase the appropriation to \$5,000,000. Lost.

Mr. Dickerson of Kentucky moved to strike out the appropriation. Lost.

Mr. Atkinson of Pennsylvania offered an amendment prohibiting the sale of liquors on the fair grounds. Defeated—14 to 78.

Mr. Breckinridge of Arkansas offered an amendment providing that all imported articles have marked on them the price of the same in foreign markets. Ruled out.

Mr. Dearmont of Missouri offered an amendment authorizing the World's Commission to have, coined, free of seigniorage, \$5,000,000 in aid of the fair. Lost.

The committee then rose and the House adjourned.

RUSSELL HARRISON DEFENDED.

A Minority Report on the Yellowstone Park Leases.

WASHINGTON, Aug. 4.—[By the Associated Press.] The minority of the House Committee on Public Lands today submitted their views on the Yellowstone Park investigation. They take the ground that Secretary Noble acted with fairness and justice in annulling the transportation leases and that Gibson acted in a false and deceitful manner in his relations with the Secretary. A most bitter attack is made on Gibson by the minority, while Russell Harrison's connection with the company is defended in strong terms. Referring to it, the minority accuses the majority of going out of its way in what it characterizes as an attempt to smother the son of the President by the use of some incidents in the evidence.

"The facts are," it says, "that a certain party interested in the park administration assuming that Harrison would have some influence with the unknown Secretary of the Interior, to be appointed, proposed to induce Harrison to use such supposed influence for the benefit of the association and remunerate him with fifty shares of stock, but the stock was never issued."

The minority holds that Harrison was never requested by Waters to use his influence and there was no need that he should do so. "The whole thing

was evidently a fraud," the minority continues, "and one of Gibson's tricks, and the majority is unsupported by a single particle of evidence against Harrison, and its comments are wholly uncalled for."

To Negotiate With Indians.

WASHINGTON, Aug. 4.—Secretary Noble has appointed Reuben P. Boise and William H. Odell of Salem, Or., and H. H. Harding of Carthage, Mo., commission to negotiate with the Indians of the Silette Indian reservation in Oregon for the cession to the United States of lands not needed for allotments.

HIRED ASSASSINS.

Proof of Russia's Complicity in the Bulgarian Plot.

VIENNA, Aug. 4.—[By Cable and Associated Press.] Count Kaloky, the Foreign Minister, has gone to confer with the Emperor Francis Joseph in regard to the Russian state papers published in the *Stechoda* of Sofia. The latest installment contains a secret report sent by Hittorbo, Russian Minister at Bucharest, to the chief of the Asiatic department of Russia, saying:

The chief replied:

I agree to your secret report and to the distribution of the necessary funds by Zankoff.

Another letter from Minister Hittorbo proposes the use of dynamite as the best means to bring about a rapid change in Bulgaria, and asks the cartridges be sent to Rostchuk, where a visit is expected from Prince Ferdinand.

MORE RIOTING.

The Strikers at Duquesne Now Take a Hand.

The Scenes at Homestead Only Prevented by the Prompt Arrival of a Regiment—A Big Sympathy Strike.

By Telegram to the Times.

HOMESTEAD (Pa.), Aug. 4.—[By the Associated Press.] The moral sanction of clubs and stones was adopted by a few desperate strikers at Duquesne today. Yesterday it became evident that a break was imminent, a large number of strikers having gone back to work. Foreman Miles Lagel, of the mechanical department, was ordered to report with thirty men this morning. A number of strikers determined to stop them and twenty men went from Homestead to assist.

By 7 o'clock this morning 300 men gathered about the gates and as fast as the employees arrived they were ordered home. Foreman Lagel made some resistance and was stoned and beaten. Deputy sheriffs were hemmed in by the crowd and unable to help him. High Boyce, a boss carpenter, managed to run the gauntlet and get in safely, though sharply chased. Another man also managed to get inside and then the strikers proposed to storm the works. A telegram was hastily dispatched to Brig-Gen. Wiley and the Sixteenth Regiment was sent on a special train. As soon as the soldiers marched up the street the strikers fell back and further violence was ended. None of the repair men would go to work this afternoon, however, being too badly frightened. Treasurer Curry, of the Carnegie company, says that a majority of the old men at Duquesne wish to go back to work.

There was nothing new at Homestead today.

Pittsburgh, Aug. 4.—Information has been lodged before Alderman Riley against the participation in the riot at Duquesne today. Arrests will be made tomorrow.

A locked-out worker, one of the committee who went to Duquesne to investigate the trouble, returned this morning. To an Associated Press reporter he said: "There is no use trying to disguise the fact that the men are all ready to go back to work. Only fifty or sixty places are vacant. The mill will not wait until Monday, but 400 applications have already been made."

A Big Sympathy Strike.

HOMESTEAD (Pa.), Aug. 4.—At a late hour the following was received from South Bend, Ind., by strikers:

To the president of the union, Homestead, Pa.—The Studelaker wagon was the largest in the world, were obliged to shut down today owing to 3000 men refusing to work on account of the company's material purchased of the Carnegie Steel Company. Great excitement prevails here. Other unions contemplate going out unless a boycott is declared on all material made by the Carnegie Company.

A Pinkerton Surrendered.

PITTSBURGH, Aug. 4.—Fred Primer, a Pinkerton detective, surrendered to-night and was committed to jail. His trial occurs tomorrow.

Released on Bail.

PITTSBURGH, Aug. 4.—Superintendent Potter, Nevil McConnell and James Dovey of the Carnegie Company were released on \$10,000 bail this morning.

THE RACES.

Kirsch Does a Mile at Monmouth Park in 1:38.

MONMOUTH PARK, Aug. 4.—[By the Associated Press.] In the Trenton stakes Kirsch made his distance in 1:38, which makes a new record for a mile over a straight course. Salvador made it in 1:35½ in his celebrated race against time, but Kirsch's race was not chronicled as the existing mile record.

Mile and one-sixteenth: Banquet won, Kildeer second, Gloaming third; time 1:48.

Six furlongs: St. Michael won, Chicago second, Doctor third; time 1:13.

One mile: Kirsch won, Airshaft second, Hapenny third; time 1:38.

One mile: Kingston won, Tenny second, Sir Mags third; time 1:42.

Seven furlongs: Estelle won, Ossie second, Mr. Sash third; time 1:24½.

Six furlongs: Entre won, Julien second, Roller third; time 1:18.

Garza's Hiding-Place Discovered.

RIO GRANDE CITY (Tex.), Aug. 4.—The hiding-place of Catalina Garza, the Mexican revolutionist leader, has been discovered, and a large posse gave pursuit to him. It is confidently expected that he will be captured within twenty-four hours.

Sultan, Stamboul's Son, Dead.

CYTHIANA (Ky.), Aug. 4.—The great steeplechase Sultan, sire of Stamboul and twenty-six others, dropped dead at Abilard Park this morning. His owners recently received \$40,000 for him.

A San Diego Firm Fails.

SAN DIEGO, Aug. 4.—Havermale & Rosier, shoe dealers, today filed a petition in insolvency. Their assets are \$110,000, liabilities, \$70,000.

AT THE BAR.

The Idaho Strikers Placed
on Trial.

A Witness Tells the Story of the
Outrages at Gem.

Inmates of the Mill Assaulted With
Dynamite and Bullets.

Militia Needed in the Coeur d'Alene District for Some Time Yet—Vengeance Is Threatened Against a Spy.

By Telegram to the Times.

BOISE CITY (Idaho), Aug. 4.—[By the Associated Press.] In the trial of the twenty-five Coeur d'Alene rioters today the men pleaded not guilty. Only one witness was examined, John Kneebone, a blacksmith at the Frisco mine.

He stated that he saw the smoke of the first shot fired near Gem on July 11, and is positive it was discharged by one of the party of union men who were hidden behind logs on the hillside above the Frisco mill. This was followed by a desultory fusillade of six or seven shots, and there was a volley of 100 shots fired before the force in the mill began to reply.

Kneebone said that after an abortive attempt to destroy the mill by sending a powder train down the steep roadway, he saw a man carrying a powder keg and shot after this an explosion occurred and the Frisco mill collapsed. He declared that he would know the man who carried the powder if he should see him again. After the explosion Kneebone and the men who remained to surrender and hung out a flag of truce. Several hundred armed men had surrounded the mill. Most of the mob were union miners. They compelled the Frisco men to march to the miners' union hall and were placed in boxes and taken to Wallace. Next morning Kneebone and eighty or ninety others were ordered to leave town immediately and they went to Old Mission. That evening fifteen or twenty men came to the Mission and commenced to shoot and yell at the non-union men. The latter fled like sheep. Kneebone was shot at several times. He ran up the railroad track and took to the brush. He remained several hours in the timber and then started for the steamer landing at Old Mission, but was interrupted by four men who robbed him of all he possessed and told him to leave the country. He missed the next steamer, but caught one the following day and went to Coeur d'Alene City, and thence to Spokane.

Witnesses in the trial of the Coeur d'Alene rioters today were placed in boxes and taken to Wallace. Next morning Kneebone and eighty or ninety others were ordered to leave town immediately and they went to Old Mission. That evening fifteen or twenty men came to the Mission and commenced to shoot and yell at the non-union men. The latter fled like sheep. Kneebone was shot at several times. He ran up the railroad track and took to the brush. He remained several hours in the timber and then started for the steamer landing at Old Mission, but was interrupted by four men who robbed him of all he possessed and told him to leave the country. He missed the next steamer, but caught one the following day and went to Coeur d'Alene City, and thence to Spokane.

Where Tin Plate Is Made.

(Boston Journal.)

A correspondent of ours has unearthed up in Washington a blunderbuss Democrat who refuses to believe that tin plate is manufactured anywhere in this country. This fellow must be a lineal descendant of the New Hampshire Democrat who refused to believe that Andrew Jackson up to the outbreak of the war, and still persistently declines to believe that Lee has surrendered. He even makes a statement over his own signature that there is not a tin plate manufactory doing business in the United States. "We must decline to publish this absurd assertion, for a year or two hence it might be the cause of considerable embarrassment to the tin plate industry, which is now in cold type. But it is an easy matter to name a few of the more than a score of tin plate factories which the officials of the Treasury Department now report in operation. Norton Brothers of Chicago, the largest tin plate manufactory of St. Louis, Mo.; N. & G. Taylor & Co. of Philadelphia; P. H. Lauman & Co. of Baltimore; the United States Iron and Tin Plate Company, limited, of Denver, Colo.; Allegheny county, Pa.; and Coates Brothers of Baltimore are six firms which are actively engaged in the manufacture of tin plate. Their special forte is basing tin and not politics, but they would doubtless be glad to answer any query of a credulous victim of the Democratic newspapers.

There is additional reason for speedy adjournment of Congress now that the brewery of its kind in Washington has been burnt down.—Pittsburgh Dispatch.

LOS ANGELES TERMINAL RAILWAY COMPANY.

Los Angeles depots, east end of First street and Downey avenue, and west end of First street and Downey avenue.

Leave Los Angeles for Pasadena.

6:35 a. m., 7:10 a. m., 8:30 a. m., 9:30 a. m., 10:30 a. m., 11:30 a. m., 12:30 p. m., 1:30 p. m., 2:30 p. m., 3:30 p. m., 4:30 p. m., 5:30 p. m., 6:30 p. m., 7:30 p. m., 8:30 p. m., 9:30 p. m., 10:30 p. m., 11:30 p. m., 12:30 a. m., 1:30 a. m., 2:30 a. m., 3:30 a. m., 4:30 a. m., 5:30 a. m., 6:30 a. m., 7:30 a. m., 8:30 a. m., 9:30 a. m., 10:30 a. m., 11:30 a. m., 12:30 p. m., 1:30 p. m., 2:30 p. m., 3:30 p. m., 4:30 p. m., 5:30 p. m., 6:30 p. m., 7:30 p. m., 8:30 p. m., 9:30 p. m., 10:30 p. m., 11:30 p. m., 12:30 a. m., 1:30 a. m., 2:30 a. m., 3:30 a. m., 4:30 a. m., 5:30 a. m., 6:30 a. m., 7:30 a. m., 8:30 a. m., 9:30 a. m., 10:30 a. m., 11:30 a. m., 12:30 p. m., 1:30 p. m., 2:30 p. m., 3:30 p. m., 4:30 p. m., 5:30 p. m., 6:30 p. m., 7:30 p. m., 8:30 p. m., 9:30 p. m., 10:30 p. m., 11:30 p. m., 12:30 a. m., 1:30 a. m., 2:30 a. m., 3:30 a. m., 4:30 a. m., 5:30 a. m., 6:30 a. m., 7:30 a. m., 8:30 a. m., 9:30 a. m., 10:30 a. m., 11:30 a. m., 12:30 p. m., 1:30 p. m., 2:30 p. m., 3:30 p. 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Protection to American industries!
Encouragement to American capital!
American commerce and honest money!
A free ballot and a fair count!
Reciprocity and the Old Flag!

NATIONAL REPUBLICAN NOMINATIONS.

For President,
BENJ. HARRISON.....of Indiana.
For Vice-President,
WHITELAW REID.....of New York.

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AMUSEMENTS TONIGHT.

AT THE OPERAHOUSE—Hoss and Hoss.

A BEAUTIFUL HAND: Four acts.

The old thing is fixed. Alabama has gone Democratic.

How does a horse carriage manage to get along without gears?

Two of a kind—Cleve and Steve. They both sent substitutes to the war.

The present Democratic House may find it necessary to create a permanent committee on jags.

How can Mars help blushing a rosy red with that big opera glass of Mr. Rick's leveled at him?

GLASS TYPE are becoming the very glass of fashion and the mold of form in some Parisian print shops.

DANA, of the Sun, is already sousing on Cleveland crew. We thought it would gag the old man sooner or later.

THERE is probably no truth in the rumor that Adlai Stevenson has gone to Dwight to have himself squirted full of jag remedy.

WHENEVER a scientist back East tells the people that the earth is gradually cooling, they call him seven different kinds of a liar.

The hardy ranchers up at Lodi have organized a watermelon trust. They probably think there is millions in it—watermelons.

THE People's party and the Democrats will not fuse because of the weather. They say it is too hot for bedfellows even of the political sort.

MOUNT ZENIA is said to be a fine place to fry tourists if any of them want to get into a controversy as to who is the bravest man on top of earth.

HERE is an able inquiry from the Toledo Blade: "Cleveland was photographed in four positions when in New York recently. Wonder if one of them was his fraternal position?"

GROVER CLEVELAND is rapidly surging to the front as the great North American ready letter-writer. Grover handles a mighty nimble quill, but he don't say much that is worth while.

THERE is apparently reason to expect that editors McClure and Halstead will have a set-to in debate on the subject of free trade. There will be information in the air if these gladiators get at it, you can stake your money on that.

QUEEN VIC is mighty hot because Gladstone was elected and wants to get around calling on him to form a new cabinet. Better get in, Vic, and take your little dose like the rest of us. It's a great year for crow, Vic—'deed 'tis.

If there is ever a dry year in California we shall lay it to the editorial page of the Sacramento Record-Union. It absorbs so much moisture because of its Sahara-like style that we are bound to feel the effects on the country pretty quick.

SOME of our friends who publish things in bourbon newspapers say the McKinley bill is too hard for them to understand. It don't take much to rattle a Democrat any way, and we don't wonder that our Billy's favorite William is too much for them.

The umpire made monkeys of the Los Angeles club yesterday. Between raw decisions and protesting baseball "mogots," our boys' lot is not a happy one. But they are a great aggregation just as hard, and all they need to do is to keep pegging away playing honest ball. The town is right with them.

GEN. FIELD, the ex-Confederate nominee for Vice-President on the People's ticket, says: "We killed a great many Yankees during the war, and I wish we had killed twice as many more." No wonder old man Field felt this way when he saw "Calamity Jim," the man he has to trot in harness with this fall.

The New York Press says: "The American eagle will never dip his wings over Buzzard's Bay. He isn't that kind of a bird." No, indeed, his name does not begin with a B, and he would feel out of place conning about with the central figure of that wet spot who wants to turn the glorious country of the eagle's heart and home over to the tender mercies of free trade England.

A Unique Celebration.

THE TIMES recently published an article on the approaching 350th anniversary of the discovery of California by Cabrillo, who anchored in San Diego Bay on September 17, 1542, (O. S.) and was the first white man to tread the coast of the Pacific. In the article referred to it was suggested that it would be appropriate for California to celebrate in some manner an event of such great import to the State. After the article was written, and on the same day that it appeared, an Associated Press dispatch was printed from San Diego announcing that the citizens of that place had determined to celebrate the event on a grand scale and to invite the rest of the State to join them. From a San Diego gentleman, who was in town this week, some particulars were gathered which show that the celebration promises to be both unique and interesting.

As in the case of the World's Fair at Chicago, the date of the celebration will be changed to conform with the modern style of reckoning, and it will be held on the 27th, 28th and probably also on the 29th of September. On one day there will be a land demonstration, and on another a display on the bay. A ship similar to that used by Cabrillo will be constructed and will sail into the bay on the 27th. Secretary Tracy and the President have taken an interest in the project, and have promised to send such war vessels to San Diego as are available on the Pacific at the time. An effort is being made to secure the presence of one or more British men-of-war, and the Democrats will probably come up from Mexico. It will be quite natural for Mexico to take an interest in this celebration, as Cabrillo sailed on his voyage of discovery from a Mexican port, to which his vessels returned after inspecting the Coast. He was a Spaniard and Lower California formed a portion of his discovery.

Encouragement is expected from the State Government and from the State Society of Pioneers. The Santa Fe railroad company has promised greatly reduced rates to San Diego and it is hoped that the Southern Pacific will follow suit. A steamship will probably be chartered to run from San Francisco, touching at coast ports, where sufficient passengers offer themselves. All the governors of the United States and many of the leading men of the Nation will be invited.

One of the unique attractions promised is an old-fashioned Indian village of tule wigwams, such as Cabrillo saw when he sailed along the Coast. It will be arranged by Father Ubach, the well-known Catholic priest. Among the Indians will be two old squaws, aged respectively 120 and 130 years. The Finance Committee, which is gathering funds for this celebration, is said to be meeting with great success. The San Diegans hope that the entire State will join in the celebration. The fact that San Diego was the first point touched at by Cabrillo in what is now the State of California makes that an appropriate place for the celebration.

Cabrillo sailed from Navidad, a port on the Mexican coast, on June 27, 1542 (O. S.). He touched at San Diego, San Pedro, San Buenaventura and other places, and went as far north as the Oregon line, where he was driven back by adverse weather. On the way up, Cabrillo died at the island of San Miguel, off Santa Barbara, from the effects of a fall.

Robbed in the Regular Way.

A train robbery on the regulation plan has again been consummated and with flattering success to the operators. This time it is in our own State, and enough Los Angeles people were concerned in it to make it seem very close at home. A description of the "hold-up," which occurred near Fresno late Wednesday night or early Thursday morning, is given in our telegraphic columns. The methods of procedure are so well known from reports of previous robberies that they seem almost stereotyped. As the train was pulling out of a lone some way station two masked men boarded the tender of the engine, covered the engineer and fireman with revolvers and then captured the train. The rest of the proceeding—stopping the train at a convenient place, blowing open the express car with dynamite bombs, terrorizing the messenger, shooting random volleys from their guns and pistols to keep the passengers quiet, and pressing the trainmen into service to help make off with the swag—are all in the regular order. The amount of the robbery is not stated definitely, and it may be anywhere from \$10,000 to \$30,000. It was enough, at any rate to reward the robbers handsomely for their few hours' work. They have escaped and their capture is a matter of uncertainty, although no doubt thousands of dollars will be expended in the effort.

We speak lightly of the manner in which this robbery was conducted, not because we undervalue the seriousness of the situation, but because we believe it might have been prevented had the express and railroad companies adopted precautionary measures long ago suggested.

It is folly to accuse men of cowardice because they obey the orders of robbers who have the "drop" on them. Almost any man would give up his own or another man's property rather than incur

certain death. As train robberies usually go, it is no wonder that they are successful. There is hardly ever a chance for resistance. If defensive measures are ever secured against these modern knights of the road, they will have to begin back of the moment when the robbers have the "drop" on the engineer and fireman and are practically in command of the train.

Months ago THE TIMES made the suggestion, and has repeated it several times since, that the railroad and express companies should station an armed guard on the tender of every engine hauling an express car. If such a guard, armed with a shotgun loaded with buckshot, had been on the tender of the train near Fresno there might have been quite a different outcome to this affair. The robbers at least could not have crawled over the tender unopposed and taken the engine crew unawares. If they had indulged in a preliminary shot at the guard they would have alarmed the engineer and fireman, and had these men been provided with weapons, they could have defended themselves, or possibly opened the throttle and run away from danger.

The loss involved in this single robbery, to say nothing of the further sums which will be expended in the effort to capture the robbers, would defray the expense of ten, fifteen or twenty guards for a year. Wouldn't it be cheaper and better to incur this expense than to leave the train thus an easy victim to the bandits, to place the lives of trainmen and passengers in jeopardy and to allow the robbers to get away with such a handsome sum as to encourage them and others in future attempts of the same kind?

The nervous and temporizing policy of the railroad and express companies in these matters seems to us absolutely fatuous. A stage company, running with 5 or 10 per cent of the passengers and treasure carried by the average express train, would be considered foolhardy and derelict in its duty if it failed to provide an armed guard for each coach. Most of the stage lines through Arizona and in other frontier sections are thus protected and stage hold-ups are reduced to a minimum by these precautions. Robbers are a little cautious about undertaking a job of this kind when they are certain of some fighting. Even if they succeed in killing a man or so, they take equal chances of being killed themselves, and their prospects of getting away with the booty are very slim.

We believe that our suggestion of a guard with each express train is entirely feasible—though we do not, of course, claim infallibility for it. The expense involved would be so slight in comparison with the possible benefits as to make it a matter of no great consideration. At any rate we shall cheerfully bring our suggestion forward whenever occasion offers until the carrying companies think it worth their while to adopt it or some other measure of precaution which will prevent these outlandish robberies.

The Cry of "Wolf" by the Wolves.

A comparison of the appropriation record of the present (reform) Democratic Congress with the celebrated "billion dollar Congress" which preceded it, as presented by Senator Allison in a speech a few days ago, is calculated to make Democrats wince. In the light of this disclosure the shallow hypocrisy of one of the planks in the Democratic platform denouncing the last Congress for extravagance becomes very manifest. The "billion dollar Congress" was a good enough Morgan for the retrenchment and reform Democrats until they put their own hands to the Nation's purse-strings, and then they outdid it so far as to make their sham protestations ridiculous, and elicit the angry denunciations of their own party papers of the more independent sort. But, true to the strange fatuity which seems to control the course of the Democracy, they must needs go on shouting against the bogie man after they had discounted him. Giving, in round numbers, the figures adduced by Senator Allison, they make the following exhibit:

Appropriations by Republican Fifty-first Congress, first session, \$488,000,000; second session, \$525,000,000. Total "billion-dollar Congress," \$988,000,000.

Appropriations by present "economical," "reform" Democratic Fifty-second Congress, first session, \$509,000,000.

Excess of appropriations by Democratic "economical" Congress over "profligate" Republican Fifty-first Congress in first session, \$54,000,000. These are the figures as Senator Allison will give them.

Even if the Democrats of the House should succeed in making their party record more ludicrous by defeating the Sundry Civil Appropriation Bill, the bill of broadest scope and effect in the Government service—with the idea of improving the "economy" record of the party by thus cutting off \$25,000,000, it would be too late to save their party from the effects of its own record for incompetency and inconsistency.

Assuming the success of the foolish Democratic attempt to defeat the Sundry Civil Bill, with its \$25,000,000, the record would still show this session to have exceeded by \$29,000,000 the appropriations made by the first session of the "billion-dollar Congress."

MR. CLEVELAND advances the argument with all the power of his platitudinous pen, that "it is principles, not men" this year. Evidently Grover knows where the weak spot is in the fight, and hopes to cover it up. If the Democracy really had any principles this would be O. K.; but has it! Not that anybody has ever got sight of.

With the thermometer at 110° last Thursday, the Philadelphia News printed at the head of its first editorial column the cap line, "Good afternoon." Its editor must be a salamander.

THERE was another transcontinental railroad company incorporated up at the Bay this week. The way those capitalists at San Francisco fail to build railroads, except on paper, is one

of the most striking things of the era. Why don't they buy a tie and a fish-plate and make some kind of ashoving?

An Indiana woman is under arrest for using a postal card twice. It is our opinion that anybody that would use one even once ought to be incarcerated in a deep, dark, dusky dungeon.

THE harmony in the Democratic House at Washington would be a pleasant thing to gaze upon, if there was any such thing.

ONE McCorkle is the Democratic nominee for Governor in West Virginia and he is also said to be McCorkle.

AMUSEMENTS.

AT THE PLAYHOUSES.

GRAND OPERAS.—Reed and Collier got going last night. The Grand last night in the Indiana Opera House. Reed and Collier made two hours and a half of fun that never lagged, and of laughter that was either a ripple or a roar all the time. The play is not a play—it has no semblance of a plot and does not need any. A plot would spoil it. But it is brimming full of humor, bright puns, quips, make-ups, clever dancing, and eccentricities that defy description. The house was a big one for a hot night, and it showed its applause on every feature of the performance.

Charley Reed is still the same plain, funny little man that has set more tears of laughter flowing than any comedian since sent out from California. He makes fun that has no shadow of effort in the attempt to be funny, and is the best of his kind entirely characteristic. Mr. Collier, in a wholly different way is equally clever, and between the two of them give an entertainment which is a real treat to the audience, that is full of brightness.

Louise Allen dances with consummate grace and beauty. Her partner, a little man, is a real treat to the audience. The sweet and powerful bass voice that he used with fine effect in "The Bedouin Love Song." The cast is quite a large one and is made up of people who are of the individual merit. Tonight the hilarity will go on again and no doubt another big audience will be on hand to enjoy it.

POLITICAL POINTS.

Adlai ought to have all the fun possible out of the campaign. He will be leader of Julius Caesar after November. —[Toledo Blade.]

Candidate Stevenson's speech-making will probably be a record. He was out of the Tammany delegates who signed the protest declaring that Cleveland cannot carry New York. Mr. Roosevelt will not waste good Democratic money on a hopeless cause. The Cleveland party would reform its protection of the Cleveland party. The Cleveland party would reform its protection of the Cleveland party. The Cleveland party would reform its protection of the Cleveland party.

The Chicago convention declared the recent tariff act unconstitutional. The Supreme Court of the United States declares the act unconstitutional. The Cleveland party would reform its protection of the Cleveland party. The Cleveland party would reform its protection of the Cleveland party. The Cleveland party would reform its protection of the Cleveland party.

It is estimated that the Democratic party managers in Philadelphia will have to pay the poll taxes of at least 90,000 voters this year. The Cleveland party would reform its protection of the Cleveland party. The Cleveland party would reform its protection of the Cleveland party. The Cleveland party would reform its protection of the Cleveland party.

Mr. Cleveland's words in regard to the Republican declaration for free elections are equally unworthy of a man who aspires to be President of the United States. They are pitiable cant, rank demagoguery, and a disgrace to the party. The Cleveland party would reform its protection of the Cleveland party. The Cleveland party would reform its protection of the Cleveland party. The Cleveland party would reform its protection of the Cleveland party.

Gov. McKinley is in demand. He was in Chicago Monday on his way to Madison, Wis., where he is to meet some unknown free trader in that debate. He is not long ago in Lincoln, Neb., and Senator Allison is making an effort to have him speak at the Forest City Plaza Palace in this city. The Cleveland party would reform its protection of the Cleveland party. The Cleveland party would reform its protection of the Cleveland party. The Cleveland party would reform its protection of the Cleveland party.

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LETTERS TO THE TIMES.

The Cruel Check Reim.
LOS ANGELES, Aug. 3.—[To the Editor of THE TIMES.] Why is it that people in this section of the country are so cruel to that poor horse, the horse? Every horse, and especially the most valuable ones, are subjected to the torture of the over head check rein. I almost wish those persons who check their horses so high could have a taste of it themselves. Not long ago I saw a prominent minister on this city riding after a horse with his head strained back most unmercifully. Perhaps the minister was a horse man, but he was not a horse man in the way he was riding.

Mr. Cleveland's words in regard to the Republican declaration for free elections are equally unworthy of a man who aspires to be President of the United States. They are pitiable cant, rank demagoguery, and a disgrace to the party. The Cleveland party would reform its protection of the Cleveland party. The Cleveland party would reform its protection of the Cleveland party. The Cleveland party would reform its protection of the Cleveland party.

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cricketers, all of whom ought to be in the penitentiary for taking money under false pretenses, and among whom would be found many of the clergy, I fear.
But admitting his confessions to be true (which in the main I do not doubt), what has that to do with true mediumship? It rather proves the opposite to what our complacent all-over the turf on his lawn, and those Christian people who seem so anxious to damage Spiritualism and to discredit mediums, know that it would prove too much for the Methodist Church! Do they not know that the founder of Methodism, John Wesley, was a fine spiritual medium, and that he recorded in his diary equally or more marvelous spiritual manifestations than are to be found in all the spiritual literature of the last forty years. Remember friends, that Methodism owes its origin and marvelous progress to Mediumship. A SPIRITUALIST.

Wants to Arbitrate.

[San Francisco Post, Editorial.]
The latest news from Homestead is that the Amalgamated Association wants to arbitrate with the steel company. It will strike many people as analogous to the story of the man who, having a quarrel with his neighbor, poisoned his dog, threw stones through his windows, trampled all over the turf on his lawn, and scared the baby into fits by making faces at it, and then wanted to discuss the matter in a neighborly and friendly spirit.

But while the Amalgamated Association has clearly forfeited any right to claim to arbitration, it is not so certain that the Carnegie Company may not deem it best and most expedient, in view of the future of the steel and iron-making industry, to accept the arbitration. It is not so certain that the Carnegie Company may not deem it best and most expedient, in view of the future of the steel and iron-making industry, to accept the arbitration.

One thing, however, it is safe to say that the Carnegie Company will insist upon, and that is that it will make no contracts for labor with a labor union as such. It may discuss moot points with the Executive Committee of the Amalgamated Association, but when it comes to hiring men and making labor contracts it will deal with individuals. It can do nothing else. Its recent experience has shown it that it cannot afford to deal with an organization which can order 3800 men to strike and because 300 of them are not satisfied, it can deal to better advantage with the 3500 men who are satisfied than with the 300 who are not, and it will doubtless insist, under any circumstances, on the right of the corporation to employ such labor as it prefers.

Sympathetic Strikes.

New York Tribune editorial—The Amalgamated Association will not or cannot carry out the contracts it asks employers to sign, but breaks them or suffers them to be broken at any time, does not the association thereby serve notice on the employers that they cannot rely upon the contracts it may propose, even if accepted and signed in good faith? The position taken, in ordering or permitting these sympathetic strikes, would seem to be peculiarly destructive of the claim of the association as a proper agent to act for the men. But the case is even worse when men who are at work under other contracts between labor organizations and other employers, and who do not strike through between themselves and their employers no grievance has arisen. The contractors erecting a great building in Chicago or elsewhere, hoping to secure themselves against interruption of work, have entered into a contract with organized labor to do certain work on certain terms. One morning the men are asked to handle the same steel beams they have been handling, and they refuse to do so, on the ground that the firm which has been all the time applying the material they were expected to use has failed to agree with its workers. This is obviously a violation of their contract, and excused by no fault whatever on the part of their employers. Does it appear to organized workers that such violation of contracts are rightful, or that they will help the workers in making other contracts?

In a time of excitement and strong feeling not a few mistakes may be excused, but it is not to the interest of organized labor to deprive the workers of public sympathy, or to destroy confidence in the readiness of the organizations to keep the agreements they make. For their own interests it would seem that they ought to frown upon these sympathetic strikes by men who have no occasion on their own part to disregard their agreements.

Boss Harrity and Tammany.

[New York Morning Advertiser.]
For Mr. Hill and Mr. Harrity Mr. Harrity has no love, or even respect. As a Cleveland idolater he does not dare have, lest he might some time be sent, unshriven, to the political bonafire.

Therefore, after Mr. Harrity has been put in charge of the campaign, and particularly when he begins to tell Messrs. Murphy, Croker, McLaughlin and al. how the campaign in this State should be conducted, we may expect to see signs of great harmony. It is anything but a foreigner come over from Pennsylvania and undertake to instruct them in the matter of running their political machine.

Oh, yes, the selection of Boss Harrity to run the campaign and keep a Pinkerton eye on Tammany is certain to produce harmony in solid chunks. It will be like throwing a plow point to the Tiger at his dinner table when he is expecting a saddle of mutton.

Mail Service for Alaska.

[Ole State Journal.]
The Government is providing mail facilities for the people of western Alaska, and the chief postal inspector of the Pacific Coast has just returned from Seattle, where he has been on a trip to the islands west of Alaska, where he has been establishing postoffices. The line of offices will extend further west from San Francisco than it does East, making altogether, East and West, a continuous postal service for 6093 miles, and a letter makes the trip in twenty-eight days. Oonalaska in Alaska is as far west of San Francisco as that city is west of Boston.

Billville in Line.

[Atlanta Constitution.]
No matter who the man is—'jes' put him up an' say
You want us all to vote him in, an' then—
get out the way!
For 'brethren, when comin', like the heavy thunder rolls;
You can hear Billville hummin' as she marches to the polls!

No matter who the man is—'jes' trot him up an' then
Jes' get your ballots ready and trot drum up loads o' men;
The rads are good at votin', but we've learned their tricks by rote;
We vote an' then fall back and then we rise again an' vote.

Free Speech and Pool Speech.

[Chicago Inter Ocean.]
"There is all the difference in the world between free speech and pool speech," said a Boston journalist once. Private laws, lately a member of the Pennsylvania National Guard, is in a position to appreciate the force of the remark.

KANAKA KICKERS.

A Scheme of Two Benevolent Corporations.

A Sudden Rage for Rearing the Rag Baby on End.

An Opium Smuggler's Peculiar Pro-forment.

Proposed Bill to the Nicaragua Canal—The Cabinet Question—England—Formerly Annexed Johnston Island.

HONOLULU (H. I.) July 27, 1892.—[Special Correspondence to THE TIMES.]
Owing to the political cliques in the Legislature not being thus far able to come to an agreement upon the personnel of a new cabinet and an equitable division of the spoils, the vote of want of confidence lately introduced against the present ministry was rather unexpectedly laid upon the table on July 21, awaiting a new factional deal. It is now evident that unless two or more of these political factions, by courtesy called parties, succeed in pooling their claims to office, the present cabinet, bad as it is, will likely remain.

Claus Spreckels is still here using every endeavor to construct a new cabinet that will suit him, and upon which he can unite a majority of the Legislature, but thus far he has schemed without success. He left for the island of Maui, where his plantation is situated, on July 25, and took with him as guests several prominent members of the Legislature. This junketing trip will last about a week or ten days, and it is believed by some that the new cabinet will follow the return of the party to Honolulu.

THE WORLD'S FAIR APPROPRIATION.

The World's Fair appropriation, which will soon come up in the Legislature, is quite likely to meet with strenuous, if not fatal, opposition from the natives and their leaders. It has lately developed that the commissioners, who will recommend the appropriation of \$40,000 for the Hawaiian exhibit, are backing a scheme to use government money for advertising the business of the Volcano House Company and Oahu Railway and Land Company, and thereby secure these corporations, respectively, tourists and settlers. The Volcano House Company proposes to use a big slice of the appropriation to run a cyclographic panorama of the Hawaiian Islands, while the other company proposes to spend its share in booming the merits of the country and its lands especially, without reference to the facts at present staring Hawaii in the face. Unless the Legislature is wiser than the House are fully satisfied the money will be legitimately used, there is great probability of no appropriation being made.

A FINANCIAL BOMB.

The bill introduced by the Minister of Finance to impose a duty of 20 cents on pack upon playing cards has passed a third reading. The bill was strongly opposed by the clearest-headed men in the Legislature and it was pointed out to be an open violation of the Reciprocity Treaty with the United States. During the debate members asserted that Hawaii was on the verge of national bankruptcy and it was also asserted that the bill was the handiwork of an incompetent crank (Minister Williams) and would do more harm by threatening the good relations existing with the United States than would be secured by the paltry sum of a few thousands of dollars of extra revenue.

A LEGISLATIVE CURIOSITY.

A legislative curiosity, known as Horner's Banking Bill, introduced by the noble for the island of Hawaii, is one of the funny things of the session. It is the old "rag" money proposition renewed in Hawaii. Noble Horner only claims as new his "combination of live principles," which he declares to be applied that "a bank organized as this bill provides could never be broken." The present dull times have brought Mr. Horner and his bill to the front with a plea that if adopted a financial panic would be averted. The old gentleman, who has absolute and childlike confidence in his scheme, innocently declared the other day, that under his bill "a run upon the bank would make money plow like the steam engine." The more money drawn from the richer it would become.

AN OPIUM SMUGGLER'S APPOINTMENT.

It will be remembered, from the accounts of the Pacific Coast newspapers, that A. W. Whaley, one of the opium smugglers of the famous yacht Halcyon, took up his residence in Honolulu several months ago, when he was since been living like a king or government official, on the fat of the land. The suspicion long prevalent that Whaley and the Queen's favorite, Marshal Wilson, were hand in glove in the sale of opium, has again risen from the fact admitted by the Attorney-General that at the request of Marshal Wilson, A. W. Whaley had been appointed with others as special policemen to serve on last election day without pay. Many believe that not only Whaley, but even the Queen has extended her confidence to Whaley, as he has become a welcome and constant visitor at the palace. It is thought that the late sale of opium, indulged in by members of the Legislature, on the police department of the kingdom, were the cause of the resignation of Attorney-General Whiting from the cabinet, which took place July 29, but has not as yet been accepted by the Queen.

NEEDY MECHANICS.

Every outgoing steamer carries away as many of the foreign mechanical and laboring classes as are able to raise passage money, while many are anxious to go who have no means. The matter was brought to public notice on July 19 by a petition introduced to the house by Representative Bush, from needy mechanics of Honolulu, asking aid from the government to help them to "leave the country on account of hard times."

PROPOSED CENSORSHIP.

On July 26 a resolution was introduced into the House by Representative R. W. Wilcox, which provides "that the sum of \$200,000 be inserted in the appropriation bill, to be paid in Hawaiian government bonds to the corporation that shall first complete an inter-oceanic canal at Panama or through Nicaragua." The resolution developed considerable support, and was referred to a special committee, which was also empowered "to investigate if it is advantageous for this kingdom to enter with those countries or corporations proposing to lay an inter-oceanic canal joining with these islands."

ENGLAND ANNEXES JOHNSTON ISLAND.

After an absence of a fortnight or more, H.B.M.S. Champion returned to Honolulu July 25. During her absence the Champion

THE COURTS.

A Final Decision in the DeHail Case.

Wherein the First Street Widening Proceedings Were Defeated.

Every Provision of the Law Must Be Complied With.

The Council Cannot Acquire Jurisdiction Until This Has Been Done—Any Irregularity Invalidates the Whole Matter—Appeal Denied.

The decision of the Supreme Court affirming the judgment of Judge Van Dyke in the case of J. F. DeHail et al. (respondents) vs. W. E. Morford et al. (appellants), an action to enjoin defendants from selling certain land belonging to plaintiffs for a delinquent street assessment, was received from headquarters yesterday by Deputy Clerk Ashmore for filing in this city. In his opinion rendered therein Justice Harrison, with whom Justices de Haven and Patterson concur, says:

The city of Los Angeles adopted an ordinance July 8, 1889, for the widening of First street from the west side of Los Angeles street to the east line of Alameda street, for which certain lands were to be taken, and the costs, damages and expenses thereof to be paid by an assessment upon other lands to be benefited thereby. Further proceedings were had under the ordinance, culminating in an assessment upon certain lands bordering on the improvement, which was placed in the hands of the defendant, Morford, as Street Superintendent of the city, for collection; and the defendant, having refused to sell, and being about to sell for the purpose of satisfying said assessment certain lots of land belonging to plaintiffs, this action was brought to restrain him from making the sale. Defendant answered the complaint, setting out the proceedings leading up to the assessment and his proceedings thereunder; and upon motion of plaintiffs the Court rendered judgment in their favor upon the pleadings, perpetually enjoining defendants from making this sale. From this judgment defendants have appealed.

After quoting section 8 of the act of March 8, 1889 (Stats., p. 71), p. 72, and the city ordinance under which the proceedings for widening the street were had, the Court continues:

This (the ordinance) is not in compliance with the provisions of the above section of the statute, but a resolution, "specifying the exterior boundaries" of the district to be assessed to pay the cost of the improvement. The only boundaries of the district which are "specified" are the lines of First street, between Los Angeles and Alameda streets, and between the "exterior boundaries" of the district to be assessed, are only the boundaries of a tract within the district which is exempted from assessment. There is nothing in the description of the district from which its extent in either direction from First street can be ascertained, or by which any one can determine the quantity of land which is to be assessed.

A very obvious reason for this requirement of the statute is that each owner of property within the district may be informed of the extent of the territory which is to be assessed, and the improvement, and thus by calculating the relative burden upon himself determine whether the burden to be borne by himself will be so disproportionate to the benefit to the improvement that he can make suitable representations to the City Council when it comes to act upon the petition for the issuance of its resolution of intention. While each owner of property may know the depth and area of his own lot within the district, he cannot be presumed to know that of the other lot owners, and consequently cannot know the relative proportion of the expense which he will be called upon to bear, and cannot intelligently make any objections before the Council to the extent of the district or lands to be effected or benefited by said work or improvement which by section 4 of the statute he is authorized to make and have considered by the Council. Irrespective of this reason, however, it is a sufficient reason that the Legislature has prescribed this as a requirement to be observed by the Council, and one of the steps to be taken by it before it can have a jurisdiction in the matter, and it is a fundamental principle in proceedings of this character that every requirement of the statute which has a semblance of benefit to the owner must be observed in order to give to the owner the full benefit of the statute in the premises. After the jurisdiction has once been acquired subsequent proceedings can be attacked for only such irregularities as affect substantial rights, but for the purpose of acquiring jurisdiction every requirement must be regarded as of equal necessity.

The plaintiffs did not waive their right to object to this want of jurisdiction by the fact that they appeared before the City Council and filed objections to the improvement, and afterward protested against the report of the commissioners. If the City Council failed to acquire jurisdiction, no subject matter of the improvement, it could not acquire jurisdiction by the consent of the plaintiffs, much less by the fact that they objected to the improvement, as was said in *Hewes vs. Rea* (40 Cal. 283), "the right to appear before the board and object cannot certainly be held to constitute acquiescence in the validity of the proceedings of those acts which are conditions precedent to the exercise of the power, nor does this right of remonstrance possess the least semblance of a remedy for a wrong that may be committed notwithstanding the protest, and the actual appearance and protesting cannot have any greater effect for the purpose of conferring jurisdiction than the unexercised right of so appearing and protesting."

In the case of *O'Shea* (respondent) vs. Wilkinson (appellant), from Kern County, the judgment is reversed, with directions to the Court below to dismiss the action.

Section 1170 of the Penal Code expressly provides that exceptions may be taken, and it is to this we must look for a solution of the question raised in this case. That section provides that exception may be taken, first, in disallowing a challenge to the panel or to an individual juror for implied bias; second, in admitting or rejecting testimony on the trial of a case; and third, for actual bias. So that a challenge to a juror for actual bias cannot be excepted to. Counsel for the people contends that section 1064, in providing that a challenge to the panel must be made in the same form and determined in the same manner as if made to a juror, excludes an exception to the panel for actual bias. But this does not follow. The question of bias in the officer is heard and determined in the same manner as that of a juror by the trial court, but what exception the Appellate Court will hear is quite another matter, and its solution must depend upon the construction we put upon the first clause of section 1170.

From a careful review of the testimony I fail to see how the officer disclosed such bias as would disqualify him to sit as a juror in the case. He knew nothing about the merits of the case and was not prejudiced against the defendant. It is true he says he is opposed to saloons, but if that test were to disqualify a juror in this case so also would be disqualified the juror who said he was in favor of saloons. . . . and no jury could be obtained. The question was whether the defendant had been selling in violation of law, and so far as the record discloses the officer acted fairly in the matter.

a Frenchman; and Gottfried Weinmann, a Swiss.

NEW TRIAL DENIED. Judge Smith rendered his decision yesterday afternoon denying the motion for a new trial in the case of the People, etc., vs. Frank Schwarke, appealed from the Police Court on the ground that the Court below erred in disallowing his challenge to the panel of jurors summoned to try his case, in accordance with a somewhat lengthy opinion filed therein.

The challenge was for actual bias, and the Court after quoting sections 1064 and 1078 of the Penal Code says:

NEW TRIAL. Among the documents filed with the County Clerk yesterday were the preliminary papers in the following new cases:

People, etc., vs. James C. Johnson et al., twenty-one suits to foreclose vendors' liens on real lands. . . . Emile Demoulin vs. F. Kerkow, suit to recover \$140 alleged to be due for services, appealed from City Justice's Court. . . . Warner H. Douthal vs. J. L. Martinez et al., suit to recover \$2500 alleged to be due on a note, appealed from City Justice's Court. . . . Frank Dolan vs. S. J. Bjorlen, suit to recover \$12,500 damages for an alleged malicious prosecution at Santa Monica. . . . Frank Douillard vs. L. G. Kellogg et al., suit to recover \$12,500 damages alleged to have been sustained by reason of a malicious prosecution instituted by defendant. . . . Caroline Moulton, executrix, vs. A. C. Shafer et al., suit to foreclose a mortgage of \$22,000.

SICK

Head-Aches.

Sick-headaches are the outward indications of derangements of the stomach and bowels. As Joy's Vegetable Sarsaparilla, it is the only bowel regulating preparation of Sarsaparilla. It is seen why it is the only appropriate Sarsaparilla in sick-headaches. It is not only appropriate, it is an absolute cure. After a course of it an occasional dose at intervals will forever prevent its return.

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America's Peerless Seaside Resort

As a summer resort it is without a rival, its glorious climate, superior bathing facilities, with its many other sports and amusements combined with every home comfort make this hotel in all respects a peerless.

Under a glass roof, are the finest and most elegant in California, having large, sunny dressing-rooms and every convenience attached to each room. These bathers are very strengthening.

The New Salt Water Swimming Tanks

Surf Bathing

On a splendid, hard, sandy beach, with more regular breakers, water ten degrees warmer than at Santa Monica, and a fine view of the ocean.

Barbecue and Spanish Mackerel fishing begins about April 1st. It is the finest on the coast. Tourists should remember that the Hotel del Coronado is open all the year, and that after the other winter season, the Hotel will find the most delightful weather and every attraction at Coronado.

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From Los Angeles, Pasadena, Pomona, San Bernardino, Colton, Riverside, Redlands, Orange, Anaheim and Santa Ana, all \$21.00, including one week's board in Room 50 per room. Private lounge stay at \$2.50 per day.

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NEWS AND BUSINESS.

The Weather.
U. S. WEATHER OFFICE, LOS ANGELES.
Aug. 4, 1892.—At 5 a.m. the barometer registered 29.93; at 1 p.m. 29.91. The thermometer for corresponding hours showed 68° and 84°. Maximum temperature, 92°; minimum temperature, 65°. Character of weather, cloudless.

A volunteer detail of sixty men from Co. A and other companies of the 7th Infantry go by the 8:25 a.m. Southern Pacific train to San Pedro Sunday for battle exercises. They will use the Gatling gun and will practice the ambulance corps. The result of the maneuvers will be reported by a detail from the 1st Cavalry to Gen. John S. Johnston at Catalina Island. A large number of friends accompany the soldiers.

Don't forget. Over a hundred sail to Catalina Island and back on the Southern Pacific, which connects with the magnificent steamer, *Hermosa*, at San Pedro. The Signal Corps and the 7th Infantry, N.G.C. go into camp on the island tomorrow. Round trip Saturdays and Sundays, tickets good until Tuesday, \$2.50. See Southern Pacific time table in these columns.

A dramatic pantomime, given by the Qui Vive Club, entitled "The Choice of a Wife," artistic, whistling, and well acted, and music by the talented Satornino brothers will be the program for the People's Church entertainment Friday evening. Admission 25 cents. Refreshments free. Campbell's Hall, Downey avenue.

Why stay in the city and swelter when the seashore can be reached so quickly, conveniently and comfortably by the Southern Pacific train? Santa Monica, 40 cents; Long Beach or San Pedro only 50 cents for the round trip on Saturdays and Sundays; ticket good until Monday.

The Turnverein holds a grand picnic at Santa Monica Sunday. Athletics, dancing, fine music and refreshments will be the attractions. They go down over the Southern Pacific, where trains stop near the entrance to the garden.

For pleasure and comfort go to Catalina and stop at the Grand View Hotel, every room an outside room, 1900 feet of piazza. Music hall and bath room free to guests. Table first-class. Rate \$2 per day. Special rates to the garden.

Five dollars for the round trip to San Diego and Hotel del Coronado on Saturday and Sunday, tickets good returning Monday. Trains leave Santa Fe depot, foot of First street, at 8:15 a.m. and 3:05 p.m.

Los Angeles to Long Beach and return, 50 cents, and San Pedro and return, 60 cents, on the Los Angeles Terminal Railway, good going Saturday or Sunday and returning Saturday Sunday, tickets good until Tuesday.

The meeting of the Fourth Ward Republican Club will not be held this evening, but is put off until next Friday, August 12, on account of the reception to be tendered Hervey Lindley this evening.

Gas stoves with atmospheric burners. Seventy-five per cent. of air is used. A three-burner is only \$7. On exhibition at F. E. Brown's, No. 314 South Spring. Two dollars and five cents will take you over the kite-shaped track Sunday, August 7. Trains leave Santa Fe depot at 8:30 and 11 o'clock a.m.

Paré to Redondo or Santa Monica only 50 cents for the round trip Saturday and Sunday over the Southern California Railway (Santa Fe route).

Sugar beets tested by Wade & Wade, No. 100 Commercial street.

For Hot Air Pumps go to F. E. Brown. Dewey's Artists photo, the finest.

There is an undelivered telegram at the Western Union telegraph office for Patrick Talent.

The members of the Board of Public Works made their regular weekly tour of inspection about the city yesterday. The board meets this morning at the regular hour.

The husband of Mrs. Elizabeth Townsend, the unfortunate woman adjudged insane and committed to Napa Wednesday, denies that his wife drinks alcohol or ever did, and that therefore her mania is not from that cause.

Upon motion of G. J. Denis, Esq., it was ordered by Judge Smith yesterday morning that the application of Charles G. Sacher for admission to practice be referred to the Examining Committee of the Los Angeles Bar Association.

At the meeting of the Board of Supervisors yesterday Ira Houser was appointed constable of Soledad township, vice W. E. Jones resigned, in pursuance of a petition therefor presented by a number of voters of that township.

W. B. Ham Hall, engineer of the Bear Valley Irrigation Company, and Theo Clark, purchasing agent, are stopping at Hotel Westminster. The above gentlemen are purchasing machinery for building the new Bear Valley dam and canal.

Twenty-two complaints were yesterday filed by District Attorney McLachlan against purchasers of school lands in the county to oust them from possession on the grounds of their not having paid purchase money and interest according to the terms of their deeds.

In regard to Carmen Scates, the youthful incorrigible, Humane Officer Wright says the boy did not run away from home, but returned to school and fell into bad company. His parents finally decided to send him to Whittier to break off his bad associations, whereupon he decamped.

Gen. E. F. Johnson has received a telegram from Senator Felton to the effect that he has arranged with the Secretary of War, and that no action will be taken in the matter of the removal of headquarters of the Department of Arizona from this city to Santa Fe. Gen. McCook, who is now in Washington, will be home about the 15th.

Complaints have been lodged at the police station by citizens living in the vicinity of Second and San Pedro streets that the services in the gospel tent at that point are kept up until a late hour, much to the annoyance of the people who want to sleep. The business people have been requested to close their services at 10 o'clock.

There is a drop in the apricot market, and the commission men are only offering 10 cents a pound as against 12½ cents last week. The drop in the market is claimed, is caused by a falling off in the market in Chicago for dried fruit. A number of driers who come into the city to dispose of their product were somewhat taken back when they found that their expectations could not be realized.

The City Council continues its sessions as a board of equalization and will probably close up the work by the 15th, though there may be a final meeting on the 16th. So far only about four petitions have been filed, and these are mostly to correct minor errors. There is practically no objection to the assessment, a fact which speaks well for the thorough manner in which the work has been performed.

Capt. Whitley reports the charter of the schooner yacht *Neille* to Judge Hubbell, who is leading her on a trading voyage to San Clemente and channel ports. She sails today. For cabin passengers he will have, among others, a speculative venture in cable road, Secretary Howard of the city parks, Max Lowenthal, Esq., Albert F. Crank and Charles Hubbell. Ship's manifest shows a speculative venture in cable road and lead sinkers, while among the staples are listed sea powder, gun, rattlesnake ointment, some cracked corn, and Judge thinks that if there is much shifting of cargo they may be obliged to cross the line well to the backward.

PERSONALS.
J. G. Oxnard of China is at the Nadeau. Mrs. J. M. Carter and daughter are going to spend the summer at Long Beach.

Gov. Markham went north by rail last night, after spending some days at his home in Pasadena and in the San Gabriel Cañon, his favorite fishing and camping ground.

Among the arrivals at the Nadeau yesterday were John S. Armstrong of Tempe, George B. Perkins of Phoenix, M. J. Egan of Chilton and C. W. Wright of Tucson, Ariz.

Hang Lee's Closing-out Sale.
Children, Japanese and fancy goods, and all kinds of silk dress patterns, embroidered dresses, gowns, also gents' furnishings and ladies' underwear made to order. 222 North Main street, opposite the post-office.

A GIFT TO UNCLE.

How Yesterday's Ball Game Was Won.

McDonald's Timely Assistance When It Was Needed.

A Noul Ball Declared Fair at a Critical Point.

The Home Team Did Some Good Playing, but Failed to Reach for Reasons.

Patent to Every One on the Ground—Game in Detail.

San Francisco, 7; Los Angeles, 3; San Jose, 7.

McDonald lent a timely hand yesterday afternoon, just when an unfortunate fudge of the kind would do the most good, and handed a game over to Uncle, which he had about as clear a title to as Bob Ingersoll has to the front row in Paradise.

From beginning to end the game was unbroken in a sort of out-of-the-night style which was painful to behold. Errors of judgment were numerous, but, fortunately, with one exception, were pretty evenly divided and not costly.

The one exception came as a welcome shower in time of drought, and gave Uncle a run and eventually the game.

It was in the seventh inning, with one out, a man on second and Pete Sweeney at the bat. Peter whacked out a high fly which dropped in the sand at least 100 feet from the left field foul line.

Tredway did not pick up the ball until he had called the umpire's attention to the fact that it was foul, then threw it in and to the surprise of every one it was declared safe. It went for a two-bagger, in spite of all protests, and two more runs were scored in the same inning.

Only a couple of innings previous to this Spies hit a grounder along inside the first base line which was gathered in by McCauley and then declared foul. Fortunately Spies did not reach first.

The game was a royal ten-inning exhibition, which came near terminating tragically in the ninth because all the new balls had been fouled outside the grounds and Uncle promptly dug up his technical digest and demanded that the game be forfeited to him. Then Uncle was suddenly made to feel the wrath of Los Angeles cranks, while at the boiling point. Elmer Meyer headed a demonstration of prominent citizens, who informed Uncle, with considerable emphasis, that among honorable enthusiasts who were keeping the game up in this city, technical tricksters were properly classified with base-stealers and only honest ball was wanted, so Uncle was suddenly made to feel the wrath of Los Angeles cranks, while at the boiling point.

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Highest of all in Leavening Power.—Latest U. S. Gov't Report.

Royal Baking Powder

ABSOLUTELY PURE

Oakland men were in a batting mood and hit Harper hard, particularly in the latter part of the game. The San Jose team could do little with Horner's delivery and up to the eighth inning made only five safe hits.

Game in the East.
CINCINNATI, Aug. 4.—With better batting and fielding victory was easy for the Reds.
Score—Cincinnati, 15; Pittsburgh, 5.
Errors—Cincinnati, 13; Pittsburgh, 6.
Batteries—Sullivan and Harrington; Baldwin and Miller.

St. Louis, Aug. 4.—Young was very effective and made the defeat of the Colonels easy.
Score—St. Louis, 9; Cleveland, 4.
Errors—St. Louis, 3; Cleveland, 11.
Batteries—Sander and Weaver; Young and Hinshaw.

Boston, Aug. 4.—Halligan last night struck Capt. Stricker, breaking his jaw. The former was suspended. So the Baltimore team was minus both men, which aided in their defeat.
Score—Boston, 11; Baltimore, 11.
Errors—Boston, 8; Baltimore, 3.
Batteries—Staley and Kelly; McMahon and Robinson.

Brockton, Aug. 4.—The Phillies played an up-hill game.
Score—Brockton, 5; Philadelphia, 4.
Errors—Brockton, 9; Philadelphia, 5.
Batteries—Knell and Clements; Stein and Kinkead.

St. Louis, Aug. 4.—Breitenstein was in line form.
Score—St. Louis, 6; Chicago, 1.
Errors—St. Louis, 8; Chicago, 6.
Batteries—Breitenstein and Buckley; Hutchinson and Schriver.

New York, Aug. 4.—The Senators could not hit Rags.
Score—New York, 9; Washington, 7.
Errors—New York, 4; Washington, 4.
Batteries—Rags and Doyle; Abbey and Berger.

RAILROAD AFFAIRS.
Mining-cars on the Santa Fe—To Better the Atlantic and Pacific.

Information comes from Chicago that the Santa Fe Company will carry out its original plan of running dining-cars on the line, a step the company was prevented from taking by an injunction on the petition of Harvey, who, by a contract which does not expire for two years to come, operates all eating-houses on the system. It is said that the railroad will make some liberal arrangement with Harvey by which he will operate the cars for his own advantage. This arrangement provides for putting the new dining-cars into service at an early day.

P. F. Connor of the Great Northern Railway at San Francisco, visited local railroads yesterday.

Officials of the roads running to Redondo have given out that the Progress, one of the new steamships plying between New York and San Francisco, is expected to put into Redondo today or tomorrow.

It is learned that the Santa Fe Company will at once begin an extensive betterment of the Atlantic and Pacific line. The first step toward this work will be to replace with the 45-ton rails with new steel weighing 70 pounds to the yard.

Certain passenger men are alleging that four tickets were sold in Los Angeles yesterday reading to Clinton, Iowa, at a rate which will bring the matter before the Interstate Commerce Commission.

HORTICULTURAL COMMISSIONERS.
Meeting of Southern California Representatives Yesterday.

The Horticultural Commissioners of Southern California met yesterday at the Chamber of Commerce.

Notwithstanding the heat eight out-of-town horticulturists were present, and the time was mainly put in discussing the best method of giving certificates to nursery stock.

Mr. Scott, the Horticultural Commissioner, called attention to the act to protect and promote the horticulturists of the State according to section 2 as amended in 1891.

Those present were: Hiram Hamilton of Orange, President of the Commission; Dr. Clark, Secretary; of Riverside; Messrs. Collins of Ontario, Muscott of San Bernardino, Berry of Anaheim, Jones of San Diego, McIntyre and Rice of Ventura and Scott of Los Angeles.

BOYLE HEIGHTS.
Presbyterian Concert Tonight—Departures.

The long-expected concert given by the Presbyterian ladies for the benefit of Mrs. Muggett, the sweet-voiced old lady who sings soprano in the church choir, will take place tonight. A long and interesting programme has been arranged and it is expected that Korbel Hall will be filled with the many friends of the worthy lady and her husband who are about to depart for the East.

A large party left the Heights on Wednesday for Catalina to remain a month. A full supply of camping tent and gear was taken, and a delightful time is anticipated. Among others who were of the party may be named: H. Randolph and family, and Misses A. F. Colby, C. H. Thompson, and E. H. Beck.

East Side Notes.
The People's Party Club meets tonight at Banquet Hall. Among other business will be the making of arrangements for participating in the general demonstration over in the city on Saturday evening.

Mr. and Mrs. E. F. Grove, the former a traveling man in the employ of the Lacy Pipe Company, arrived yesterday from Arizona and have apartments at the Glenwood.

DIAMOND DUST.
This is ladies' day. Game will be called at 2:30 o'clock, Roach and Fanning pitching.

There will be a double attraction at the park this afternoon, as Woodward's balloon will sail for New York immediately after the ball game.

McDonald should adopt a rule about throwing in new balls and then stick to it. In Wednesday's game only two balls were used and in the eighth inning McCauley fouled them both over the stand. A new ball was called for and was tossed down a moment before one of the bat-scarred balls was thrown in, but McDonald put in the old mucky ball, which could not be hit out. Exactly the opposite thing was done yesterday when San Francisco was at the bat.

Oakland 10; San Jose 4.
San Francisco, Aug. 4.—The Oakland team defeated San Jose again today, winning by a score of 10 to 4. The



This customer knows a good Shoe when she sees it.

An elegant Shoe for the money is our—

\$3.00

Ladies' Cloth Top Patent Tip.

Nothing to equal it ever offered in this city.

All widths and all sizes.

Gibson & Tyler Co.

Bohrman, Hardwood Lumber Co., Wholesale and Retail Dealers in Mantels, and Tiling!

514 S. Spring-st. Los Angeles, Cal.

The Greatest Boon for Weak Eyes.

Are perfect fitting glasses. Most middle aged persons require reading glasses, while children and young persons need often distance and reading glasses. Yet many neglect to wear them through false pride, which causes sore eyes and headache. It is all-important to have a PERFECT FIT of your glasses. Beware of ignorant tradesmen and our reputation, guarantee you a perfect scientific fit. No case of defective vision is too complicated for us. Eyes tested free. Established since 1877.

151 N. Spring-st., opp. old courthouse. Don't forget the number.

MOSGROVE'S DRESSMAKING!

This department is under the management of the most experienced and thorough cutter and sewer in this Coast. For perfection of fit, style, and originality of design, who is well satisfied. NOUVEAU suits are given special attention. Bring your own material, or we can make a selection from our stock of exclusive class of novelty dress patterns from our stock. Prices as low as any first-class costume.

MOSGROVE'S

Cloak and Suit House,

1194 Spring St., adjoining the Nadeau Hotel, Los Angeles, Cal.

Joe Poheim, The Tailor

Makes the best fitting clothes in the State at 25 per cent less than any other house on the Pacific Coast.

Brown & Foster Hardware Co.

Have sold their entire business to the California Hardware Co.

Who will collect all accounts and notes due Brown & Foster Hardware Co. and pay all just claims against said company. The officers of the California Hardware Co. are: J. A. Henderson, Pres.; T. J. Weldon, Vice Pres.; and Wm. F. Marshall, Secretary and Treasurer. They will continue the business at 128 S. Spring-st., keeping the finest assortment of Builders' Hardware and Mechanics' Tools to be found in the city.

REMOVAL NOTICE!

Pironi & Slati,

Proprietors of West Glendale Winery and Vineyard, Manufacturers of dry and sweet wines, imported and bottled brandy are now permanently located at 340 North Main-st., (Baker Block) for their city and jobbing business. Family trade solicited. Telephone 585. P.O. Box 107, Station G.

DENTIST!

Crown and Bridge Work a Specialty. Fresh Filled and Extracted without pain. Set of Teeth \$7 to \$20. 118 South Spring-st., Hours: 9 to 6 p.m.

TENTS FOR RENT

Foy's Harness and Saddlery

HOTEL WINDSOR

REDLANDS, CAL. Special Rates by the week. Free Use to and from all trains. Campbell & Hodge, Prop.

WHAT'S THE USE OF TALKING

About competition when we are sweeping the prices when we are sweeping them so clean that every article is a real solid bargain, a cut and slash from regular rates to such an extent that in plain terms we are working for glory. Sweeping our vast warehouses of a lot of stock that must be moved, that must be turned into bullion. This is our aim, our present endeavor. We cut below the water's edge, we want to hear the rush, the roar of a busy business; we like the rattle of the restive crowds as they surge in and out of the portals of our establishment. It is merry music to the merchant's ear, more especially when satisfaction is shown on each countenance by reason of our sweeping prices.

Sweeping Shoes

There is no one house in Los Angeles that sells more shoes than we. Our stock is the finest and most complete in every particular; only the best makes are kept on our shelves, of which we quote: P. Cox & Co., Vestal, Langlow & Curry, E. Holland & Co., Rochester, Curtis & Wheeler, Lilly, Brackett & Co., Hannan & Son, and others, yet, when we find a broken line that we desire to replace with a better one we

Sweep Them Out!

\$3.75

Regular price, \$5.00

\$3.75

Regular price, \$5.00

\$4.00

Cut for this sale from \$5.00

\$3.00

Cut from \$5.00

\$3.99

Were in regular stock at \$4.50